

OCT. 14. 2003 4:26PM

CHRISTENSEN OCONNOR

NO. 3328 P. 4

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Elect.
2253#465

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: R. Cline Attorney Docket No.: XILL118505
Application No.: 10/050,601 Group Art Unit: 3739
Filed: January 15, 2002 Examiner: A.F. Roane
Title: FLUORESCENCE ENDOSCOPY VIDEO SYSTEMS WITH NO MOVING
PARTS IN THE CAMERA

RESPONSE TO RESTRICTION REQUIREMENT

Seattle, Washington 98101

October 14, 2003

TO THE COMMISSIONER FOR PATENTS:

REMARKS

The present response is filed in response to the restriction requirement mailed July 1, 2003, the period of response having been extended to November 1, 2003.

In the Office Action, the Examiner indicated that the species of the present invention are characterized by a set of seven figures. The Examiner characterized the first species as shown by Figures 1A, 2B, 4C, 5B, 6D, 7A, and 8D. The Examiner indicated that the second species is characterized by Figures 1B, 2A, 4A, 5B, 6B, 7B and 8A. The Examiner required applicant to elect a single disclosed species for prosecution on the merits and indicated that no claims are generic. Applicant respectfully disagrees with the Examiner's characterization of the species.

The present invention is a fluorescence endoscopy video system including a multimode light source and a camera. In some embodiments of the invention, the camera includes an image sensor and a low light image sensor. The exemplary embodiments are shown in Figures 4A, 4B and 4C. Claims 1-20, 21-40, 55 and 56 read on these embodiments.

Figures 7A and 7B disclose endoscopic video systems including a camera having a single low light image sensor. Claims 41-54, 57 and 58 read on these disclosed embodiments. While not necessarily agreeing with the correctness of the restriction requirement, applicant believes

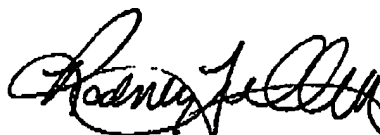
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that the grouping of claims recited above is more consistent with the various embodiments of the present invention. If the Examiner desires to maintain the restriction requirement, applicant would prefer to have the embodiments disclosed in Group 1 examined first, including Claims 1-20, 21-40, 55 and 56.

If the Examiner has any additional questions regarding this application, he is invited to call applicant's attorney at the number listed below.

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}



Rodney C. Tullett
Registration No. 34,034
Direct Dial No. 206.695.1730

I hereby certify that this correspondence is being transmitted via facsimile to the U.S. Patent and Trademark Office, Group Art Unit 3739, Examiner A.F. Roane, at facsimile number 703-872-9306 on October 14, 2003.

Date:

October 14, 2003



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CHRISTENSEN OCONNOR

NO. 3328 P. 1

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PATENT, TRADEMARK AND OTHER
INTELLECTUAL PROPERTY MATTERS

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OFFICIAL CORRESPONDENCE

FACSIMILE COVER SHEET

DATE: October 14, 2003

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TO: Examiner A.F. Roane
Group Art Unit 3739
FACSIMILE NO: 703-872-9306
RE: FLUORESCENCE ENDOSCOPY VIDEO SYSTEMS WITH
NO MOVING PARTS IN THE CAMERA
OUR REFERENCE: XILL-1-18505
YOUR REFERENCE: U.S. Patent App. No. 10/050,601
FROM: Rodney C. Tullett, Reg. No. 34,034

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(Facsimile No. 206.224.0779)

MESSAGE: Examiner Roane,

Attached are a Transmittal Letter and Response to Restriction
Requirement, with 3-month extension of time.

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We have 5 pages to send, including this sheet. If any pages need to be retransmitted, please call 206.682.8100, Ext. 1227, within 15 minutes.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: R. Cline Attorney Docket No.: XILL118505
 Application No.: 10/050,601 Group Art Unit: 3739
 Filed: January 15, 2002 Examiner: A.F. Roane
 Title: FLUORESCENCE ENDOSCOPY VIDEO SYSTEMS WITH NO MOVING
 PARTS IN THE CAMERA

AMENDMENT TRANSMITTAL LETTER/
 PETITION FOR EXTENSION OF TIME

Seattle, Washington 98101

October 14, 2003

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TO THE COMMISSIONER FOR PATENTS:

A. Amendment Transmittal

Transmitted herewith is an amendment in the above-identified application.

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- X 1. No additional claim fee is required, as shown below.
 _____ 2. The claim fee has been calculated as shown below.

COMPUTATION OF FEE FOR CLAIMS AS AMENDED

	Claims Remaining After Amendment		Highest Number Previously Paid For		Present Extra		Rate		Additional Fee
Total Claims	100	-	100	=	0	x	18	=	0
Independent Claims	7	-	7	=	0	x	86	=	0
TOTAL									\$0

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